

**REMARKS**

This paper is in response to the Office Action of February 10, 2005. The due date for response extends to May 10, 2005.

Claims 1, 6-10, 12, and 15-16 have been amended.

**Rejections under 35 U.S.C. § 112:**

Claims 8 and 16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. To respond to this rejection, claims 8 and 16 are amended to particularly point out and distinctly claim the disclosed invention. The amendments to claims 8 and 16 are based on the specification as originally filed. No new matter has been added.

**Rejections under 35 U.S.C. § 102(e):**

Claims 1-4 and 9-13 were rejected under 35 U.S.C. § 102(e), as being anticipated by Wollrath et al (U.S. Pat. 6,487,607 B1). This rejection is respectfully traversed.

Wollrath discloses a remote object invocation method between a server and a client using RMI protocol. The method taught by Wollrath requires a server RMI and a client RMI. The server RMI creates the remote objects on the server, makes references to those remote objects, and waits for the client to invoke methods on the remote objects through the interaction between the client RMI and the server RMI. The communication between a server RMI and a remote object, or between a client RMI and a proxy class, only occurs at the end of a program execution via *return response code*.

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In Wollrath's teaching, the use of RMI protocol between a server and a client and requires that Java be used. And the use of the RMI protocol in Wollrath's disclosure further requires the creation of a *proxy object*. Thus, according to Wollrath's method, only a method from a remote Java object in the server can be invoked.

In contrast, the claimed invention provides a generic way to remotely *execute an application*, not just a method of a Java object. The executed application in the claimed invention includes, for example, shell-scripts and native code produced by a compiler from a native programming languages like C/C+. As a result, the claimed invention does not impose limitation on the choice of programming languages.

As claimed, an agent process will invoke an application, and the application in turn can invoke a second application through the agent process. The agent process is different from a RMI application in that the agent process is a higher level application that could utilize lower lever programming protocols. Example protocols are RMI and network socket. To the contrary, however, RMI is not a higher level application and the basic RMI teachings of the cited art could not perform the claimed operations, as now amended to add more clarification and distinction.

Further, the claimed invention discloses a *call interface for an application* and an *agent launcher interface for a agent process*. The call interface provides a reference to the agent launcher interface such that the running application can communicate with its invoking agent process during the execution, whereas, according to Wollrath, the communication between a RMI application and either a proxy class or a remote object only occurs at the end of a program execution. That is, RMI in not a programming language that can provide a mechanism to communicate between an invoking agent process and the invoked application program during execution. Consequently, Wollrath fails to teach each and every element of the claimed invention, either literally or by analogy.

Accordingly, the Applicants respectfully request the Examiner to withdraw the Section 102(e) rejection for the independent claims 1 and 9. The dependent claims 2-4 and 10-13 are submitted to be patentable for at least the same reasons independent claims 1 and 9 are believed to be patentable.

**Rejections under 35 U.S.C. § 103(a):**

Claims 5 and 14 are rejected under 35 U.S.C. § 103(a), as being unpatentable over Wollrath. Claims 6-7, 15-16, and 17-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wollrath in view of Jaworshi. These rejections are respectfully traversed.

Claims 5-7 depend from the independent claim 1, claims 14-16 depend from the independent claim 9. As mentioned previously, the independent claims 1 and 9 are submitted to be patentable under 35 U.S.C. § 102(e) over the Wollrath reference. Thus, the dependent claims 5-7 and 14-16 are submitted to be patentable for at least the same reasons independent claims 1 and 9 are believed to be patentable.

The present invention, at the time the invention was made, has common ownership with the Wollrath reference. Therefore, according to U.S.C. § 103(c), the Wollrath reference shall not preclude patentability of the present invention under U.S.C. § 103(a). Accordingly, the Applicants respectfully request the Examiner to withdraw the 103(a) rejection for claims 17-20 over the Wollrath reference.

The Jaworshi's reference merely teaches the use of Java language. As mentioned previously, the present invention is utilized in the application level, and is not limited to just Java language. Since Wollrath cannot be established as a prior art under U.S.C. § 103(a), the Jaworshi reference alone does not provide sufficient teaching such that the present invention

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as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art.

Accordingly, the applicant respectfully request that the rejections for 5-7, 14-16, and 17-20 under U.S.C. § 103(a) be withdrawn.

Additionally, the Applicants have reviewed the claims anew, and as noted above, several amendments were presented. Some of the amendments are formatting amendments that were presented to provide better readability to the claimed embodiments; other amendments are based on the disclosure originally filed in order to further distinctively claim the present invention and prepare the case for allowance. No new matter has been added.

A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP030). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,

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